

Appl. No. 10/037,670
Amdt. dated 06/16/2005
Reply to Office action of 03/29/2005

REMARKS

This Amendment is in response to the Final Office Action mailed 03/29/2005. Applicant has filed a Request for Continued Examination to have the Office withdraw the finality of the Office Action and have this submission entered and considered. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 112

2. The Examiner rejects claims 25, 26, 30, and 31 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 25 to depend on claim 15 rather than canceled claim 17.
Claim 26 depends on claim 25.

Applicant has amended claim 30 to depend on claim 27 rather than canceled claim 29.
Claim 31 depends on claim 30.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 25, 26, 30, and 31 under 35 U.S.C. § 112, second paragraph.

Rejection Under 35 U.S.C. § 102

4. The Examiner rejects claims 1, 7, 10, 11, 13-15, 22-24, 27, 33-36, 46, 52, 55, 56, 58-60, 66-67, 70-72, 74, 77, and 78 under 35 U.S.C. § 102(b) as being anticipated by Buch (5,669,002).

As to claims 1, 7, 10, 11, 13, and 14, the Examiner asserts that Buch discloses receiving from a first requester a request to write a second indicator that comprises an identifier of the first requester to a first indicator that indicates if a component is available reasoning that a request for access is in effect a request to write the requestor's identity to the lock register since the request will determine if the lock register is available as denoted by the G0 designation and the requestor's identity is then written to the register if it gains access because the component is available. Col. 4, lines 10-35. Applicant respectfully disagrees.

While Buch discloses that a request for access is in effect a request to write the requestor's identity to the lock register, this is not the same as the claimed "request to write a second indicator that comprises an identifier of the first requester to a first indicator." As claimed, the request provides the identifier that is to be written. The lock register mechanism disclosed by Buch requires that the locking mechanism acquire the node ID of the inquiring processor by latching the grant ID from the grant bus 72. Col. 3, lines 46-64. In great contrast to the locking mechanism disclosed by Buch, the claimed invention does not require a mechanism to make the second indicator available for writing if the component is available. Thus the claimed invention is distinguished from the locking mechanism disclosed by Buch because the request for access disclosed by Buch does not comprise an identifier of the first requester which is instead provided by an additional hardware mechanism, the grant bus.

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b. As to claims 15, 22-24, 60, 66, 67, 70, and 71, the rejection is traversed on the same basis as discussed with respect to claims 1, 7, 10 and 13 above.

c. As to claims 27, and 33-36, applicant has amended claim 27 to provide that the method includes receiving a request to write a second value to a register. Applicant respectfully submits that the claimed invention now includes the value that is used to limit access to the shared resource in the write request and is distinguished from the disclosure of Buch for the same reasons as discussed above with respect to claims 1, 7, 10 and 13.

f. As to claims 46, 52, 55, 56, 58, and 59, the rejection is traversed on the same basis as discussed with respect to claims 1, 7, 10, 13, and 14 above.

g. As to claims 72, 74, 77, and 78, applicant has amended claim 72 to provide that the identifier of the requester is included in the request. This distinguishes these claims from the disclosure of Buch for the same reasons as discussed above with respect to claims 1, 7, 10 and 13.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 7, 10, 11, 13-15, 22-24, 27, 33-36, 46, 52, 55, 56, 58-60, 66-67, 70-72, 74, 77, and 78 under 35 U.S.C. § 102(b) as being anticipated by Buch.

Rejection Under 35 U.S.C. § 103

6. The Examiner rejects claims 19, 41, 43-45, and 64 under 35 U.S.C. § 103(a) as being unpatentable over Buch (5,669,002).

a. As to claims 19, 41, and 64, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

d. As to claim 43, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

e. As to claims 44 and 45, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 19, 41, 43-45, and 64 under 35 U.S.C. § 103(a) as being unpatentable over Buch.

7. The Examiner rejects claims 32 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Buch (5,669,002) in view of Dror (5,276,886).

As to claims 32 and 73, the Examiner admits that Buch fails to disclose that the shared resource comprises a peripheral device in a computer system. The Examiner asserts that Dror discloses that the shared resource comprises a peripheral device in a computer system (note column 1, lines 7-60) and that it would have been obvious to one of ordinary skill in the art at the time of the invention to have the shared resource be a peripheral device, as Dror teaches, in the system of Buch so as to allow for the sharing of peripheral device among multiple processors and

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processes without errors and synchronization problems, as Dror teaches at column 1, lines 16-42. Applicant respectfully disagrees.

Applicant has amended claim 32 to add that the peripheral device contains the register. Claim 73 depends from claim 72 which provides that the storage area is in the resource. Nothing in Dror teaches or suggests that the register that controls the resource is contained in the resource when the resource is a peripheral device. Even if Dror were to suggest a register contained in the peripheral device, there would be no reasonable expectation of success in combining the references because Buch requires the use of a grant bus to provide the node ID of the requester. Peripherals are typically connected to processors by standardized busses with limited and defined signal sets. One of ordinary skill in the art would not expect to find or to be able to provide a grant bus mechanism to provide the node ID of the requester to the lock mechanism of Buch if it were to be contained by a peripheral device. Thus Buch and Dror, alone or in combination, fail to teach and every element of the claimed invention and there would be no reasonable expectation of success in a combination of the two references.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 32 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Buch in view of Dror.

8. The Examiner rejects claims 12, 37, and 57 under 35 U.S.C. § 103(a) as being unpatentable over Buch (5,669,002) in view of Montgomery et al. (6,529,933).

Regarding claims 12 and 57, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Regarding claim 37, the rejection is traversed on the same basis as discussed above in section 4 above in connection with the rejection of claim 15.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 12, 37, and 57 under 35 U.S.C. § 103(a) as being unpatentable over Buch in view of Montgomery.

9. The Examiner rejects claims 8, 9, 23, 24, 53, 54, 68 and 69 under 35 U.S.C. § 103(a) as being unpatentable over Buch (5,669,002) in view of Marshall et al. (6,529,983).

a. As to claims 8, 23, 53, and 68, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Applicant has amended claim 8 to restore the word --to-- that was inadvertently deleted in the previous amendment.

b. As to claims 9, 24, 54, and 69, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

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Applicant respectfully requests that the Examiner withdraw the rejection of claims 8, 9, 23, 24, 53, 54, 68 and 69 under 35 U.S.C. § 103(a) as being unpatentable over Buch in view of Marshall.

10. The Examiner rejects claims 79 and 80 under 35 U.S.C. 103(a) as being unpatentable over Buch (5,669,002) in view of Schiffleger (5,526,487).

As to claims 79 and 80, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 79 and 80 under 35 U.S.C. 103(a) as being unpatentable over Buch in view of Schiffleger.

Conclusion

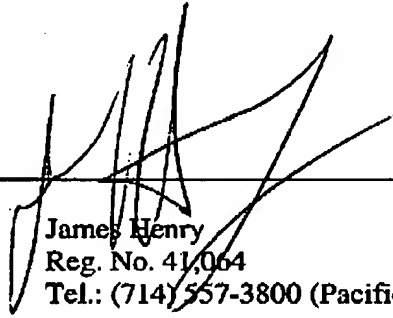
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 06/16/2005

By _____


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